

This measure codifies two recommendations made by the Homeland Security Advisory Council on how we can strengthen our Nation's economic security while at the same time combating the growing influence of China on the United States economy.

I commend my colleague, Representative MELJER, for introducing this bill, and I am very proud to be a cosponsor of this legislation. As COVID-19 has galvanized bipartisan concerns about the Nation's economic security, now is the time to act.

Mr. Speaker, I urge my colleagues to support both of these important pieces of legislation.

Mr. PAYNE. Mr. Speaker, I reserve the balance of my time.

Mr. PFLUGER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker I think it is important to note here that we are not going to declare victory. Celebrations will be minimal should this bill pass, and I urge my colleagues to vote "aye." I appreciate the support of the gentleman from New Jersey, of the chairman, and of the ranking member.

This is step one out of 100 different steps. As somebody with a military background who was charged with protecting airspace, defensive counter-air, the border is very similar. It is layered. It is not just one piece that really is the magic solution. There are many different approaches that need to be considered.

This is one, as I said, out of hundreds of steps that need to be accomplished to prevent the fentanyl that we just heard about that could kill every American multiple times, to prevent the rest of the drugs that are flowing into our country, to prevent the trafficking and the crime, and really the overwhelming of our local communities.

As I mentioned, in Odessa, Texas, recently, we uncovered the fact that in 90 days we had almost 20 overdoses from fentanyl. It is a layered defense that is required, so many more steps need to be taken. I am proud to sponsor this legislation to continue to push for that defense and that architecture to be in place.

We need strength, we need deterrence, we need resolve, and, most importantly, we need the political will in a nonpartisan way to bring America back together and the Committee on Homeland Security to secure the safety of every single American.

Mr. Speaker, I have no further speakers on this bill, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me just commend the gentleman from Texas for this well-thought-out legislation. The challenge of ending the scourge of drugs in our communities is complex as there are many ways these poisons come into our communities.

H.R. 4209 targets illicit cross-border tunnels. By joining me in supporting

this legislation today, Members can help CBP continue to carry out its detection and remediation program in a strategic and commonsense way.

Mr. Speaker, H.R. 4209 seeks to make smart and bipartisan investments in our Nation's border security. For that reason, I urge my colleagues to support H.R. 4209, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 4209, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DHS TRADE AND ECONOMIC SECURITY COUNCIL ACT OF 2021

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4476) to establish the Department of Homeland Security (DHS) Trade and Economic Security Council and the position of Assistant Secretary for Trade and Economic Security within the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Trade and Economic Security Council Act of 2021".

SEC. 2. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following new section:

"SEC. 890B. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

"(a) ESTABLISHMENT.—There is established in the Department the DHS Trade and Economic Security Council (referred to in this section as the 'Council').

"(b) DUTIES OF THE COUNCIL.—The Council shall provide to the Secretary advice and recommendations on matters of trade and economic security, including—

"(1) identifying concentrated risks for trade and economic security;

"(2) setting priorities for securing the Nation's trade and economic security;

"(3) coordinating Department-wide activity on trade and economic security matters;

"(4) with respect to the President's continuity of the economy plan under section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021;

"(5) proposing statutory and regulatory changes impacting trade and economic security; and

"(6) any other matters the Secretary considers appropriate.

"(c) MEMBERSHIP.—

"(1) IN GENERAL.—The Council shall be composed of the following members:

"(A) The Assistant Secretary for Trade and Economic Security of the Office of Strategy, Policy, and Plans of the Department.

"(B) An officer or an employee, selected by the Secretary, from each of the following components and offices of the Department:

"(i) The Cybersecurity and Infrastructure Security Agency.

"(ii) The Federal Emergency Management Agency.

"(iii) The Office of Intelligence and Analysis.

"(iv) The Science and Technology Directorate.

"(v) United States Citizenship and Immigration Services.

"(vi) The Coast Guard.

"(vii) U.S. Customs and Border Protection.

"(viii) U.S. Immigration and Customs Enforcement.

"(ix) The Transportation Security Administration.

"(2) CHAIR AND VICE CHAIR.—The Assistant Secretary for Trade and Economic Security shall serve as Chair of the Council. The Assistant Secretary for Trade and Economic Security may designate a Council member as a Vice Chair.

"(d) MEETINGS.—The Council shall meet not less frequently than quarterly, as well as—

"(1) at the call of the Chair; or

"(2) at the direction of the Secretary.

"(e) BRIEFINGS.—Not later than 180 days after the date of the enactment of this section and every six months thereafter for four years, the Council shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the actions and activities of the Council.

"(f) DEFINITION.—In this section, the term 'economic security' means the condition of having secure and resilient domestic production capacity combined with reliable access to the global resources necessary to maintain an acceptable standard of living and protect core national values."

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 890A the following new item:

"Sec. 890B. DHS Trade and Economic Security Council."

SEC. 3. ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.

Section 709 of the Homeland Security Act of 2002 (6 U.S.C. 349) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

"(g) ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.—

"(1) IN GENERAL.—There is within the Office of Strategy, Policy, and Plans an Assistant Secretary for Trade and Economic Security.

"(2) DUTIES.—The Assistant Secretary for Trade and Economic Security shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and the operations of the Department.

"(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Assistant Secretary for Trade and Economic Security shall—

"(A) oversee—

"(i) the activities and enhancements of requirements for supply chain mapping not otherwise assigned by law or by the Secretary to another officer; and

"(ii) assessments and reports to Congress related to critical economic security domains;

"(B) serve as the executive for the Department on the Committee on Foreign Investment in the United States (CFIUS), the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, and the Federal Acquisition Security Council (in addition to any position on such Council occupied by a representative of the Cybersecurity and Infrastructure Security Agency of the Department);

"(C) coordinate with stakeholders in other Federal departments and agencies and non-governmental entities with trade and economic security interests, authorities, and responsibilities; and

“(D) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

“(4) DEFINITIONS.—In this subsection:

“(A) CRITICAL ECONOMIC SECURITY DOMAIN.—The term ‘critical economic security domain’ means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

“(B) ECONOMIC SECURITY.—The term ‘economic security’ has the meaning given such term in section 890B.”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Homeland Security \$3,000,000 for each of fiscal years 2022 through 2026 to carry out section 890B and subsection (g) of section 709 of the Homeland Security Act of 2002, as added and inserted, respectively, by sections 2 and 3 of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Texas (Mr. PFLUGER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include any extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise to urge my colleagues to support H.R. 4476, the DHS Trade and Economic Security Council Act of 2021.

One of the Department of Homeland Security's core missions is to preserve and uphold the Nation's prosperity and economic security. However, in 2020, DHS completed an economic security assessment that found that COVID-19 “laid bare some growing gaps in the U.S. economy, particularly around manufacturing and supply chains for tangible goods.”

To ensure the U.S. has a secure, resilient, and prosperous economy, the assessment concluded supply chain gaps that could be exploited by adversaries should be mitigated.

H.R. 4476 seeks to help minimize such vulnerabilities and enhance economic security efforts at DHS by codifying two existing entities within the Department: one, the DHS Trade and Economic Security Council and, two, the position of Assistant Secretary for Trade and Economic Security.

H.R. 4476 specifies that the mission of the council, composed of members across the Department, is to assist the DHS Secretary with identifying risks to trade and economic security, setting priorities for the Nation's trade and economic security, and proposing changes to enhance economic security.

Additionally, H.R. 4476 outlines what the Assistant Secretary for Trade and Economic Security's responsibilities would be to perform, including supply chain activities and enhancements.

H.R. 4476 will help enhance the reliability of our domestic supply of essential goods to secure our economy.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 27, 2022.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN THOMPSON: I write concerning H.R. 4476, the “DHS Trade and Economic Security Council Act of 2021,” which was additionally referred to the Committee on Energy and Commerce.

In recognition of the desire to expedite consideration of H.R. 4476, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the report on H.R. 4476.

Sincerely,

FRANK PALLONE, Jr.,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 27, 2022.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: Thank you for your letter regarding H.R. 4476, the “DHS Trade and Economic Security Council Act of 2021.” I recognize that the Committee on Energy and Commerce has a jurisdictional interest in H.R. 4476, and I appreciate your effort to allow this bill to be considered on the House floor.

I concur with you that forgoing action on the bill does not in any way prejudice the Committee on Energy and Commerce with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 4476 in the Committee report on this measure and in the Congressional Record during floor consideration of this bill. I look forward to working with you on this legislation and other matters of great importance to this Nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security.

Mr. PFLUGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 4476, the DHS Trade and Economic Security Council Act.

The past few years have been incredibly difficult for Americans across the country, with the COVID-19 pandemic, the supply chain crisis, and record inflation, among many others. These challenges have shown all of us the importance of our economic security and the impact that our economy can have

on both our homeland and/or national security, and that of our partners and allies.

Our reliance on foreign products and manufacturing, from personal protective equipment like masks and gloves to key technology components like computer chips, have had drastic impacts on this country over the past few years.

While there is ongoing work within the Federal Government with regard to trade, supply chain, and economic security, it is clear that we still must do more.

The Department of Homeland Security has a unique position within our government to safeguard the homeland and the American people. This is no longer only limited to overt acts of terrorism as we have talked about today, but the security and stability of our economy is critical to our national security. H.R. 4476 addresses this by codifying the DHS Trade and Economic Security Council as well as the DHS Assistant Secretary of Trade and Economic Security. This will ensure better preparedness of U.S. supply chains in the face of future pandemics, disasters, and emergencies.

I commend my friend from Michigan for his leadership on this issue, and I encourage DHS to lean into its unique role to strengthen our economic security.

Mr. Speaker, I also urge my colleagues to support H.R. 4476, and I reserve the balance of my time.

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Mr. PAYNE. Mr. Speaker, I reserve the balance of my time.

Mr. PFLUGER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. MEIJER), the leader of this bill.

Mr. MEIJER. Mr. Speaker, I rise today in strong support of H.R. 4476, the DHS Trade and Economic Security Council Act.

The importance of our Nation's economic security cannot be overstated. For our country, economic security means peace and stability. It means the ability to be entrepreneurs and to freely produce and consume goods and services. For each of us as individuals, it means a secure livelihood, safe communities for our children to grow up in, and opportunities to build new institutions and contribute to society.

The level of economic security that we enjoy depends largely on the flow of goods, services, and information across our borders.

Over the past few years, we have seen this flow interrupted significantly. Our supply chains were challenged and, at times, overwhelmed. Unfortunately, these challenges are likely to continue and increase because of the dependencies we have built on hostile nations, including our overwhelming trade with China.

Vladimir Putin's unprovoked invasion of Ukraine is just another reminder of the global dependency on

Russian energy production and the devastating national security consequences of being economically dependent on our adversaries.

The threats to our economic security are numerous and growing and cannot be overstated. The peace and prosperity of our country is at risk.

We saw the first inklings of this threat at the start of the COVID-19 pandemic when the U.S. could not find enough personal protective equipment for its hospitals and medical providers, and China threatened our security by imposing export restrictions on masks and ventilator components, preventing U.S. companies from getting the deliveries they needed from their own subsidiaries.

This was just the tip of the iceberg. We know that China is working hard to expand its global economic reach in a variety of ways.

A report by the DHS Homeland Security Advisory Council correctly stated that: “DHS has no choice but to play a larger role in economic security issues. It is charged with preparing for all manner of crises . . . from major hurricanes to terrorist attacks.”

The report also highlighted the threat that China poses, and it stated that these new, long-term threats are economic, and the new weapons are trade deals, technological innovation, and critical supply chain dependencies.

The U.S.-China strategic competition is increasingly driven by who controls these underlying systems and the rules by which we advance our economic interests. We cannot allow ourselves to be behind the curve in the next national or global disaster. We need to get ahead of it.

To that end, the report made two recommendations on how the Department can combat China's influence while also contributing to our economic security.

First, the report concluded that to keep the civilian side of our economy functioning in a time of crisis, Congress should institutionalize a politically appointed official to conduct day-to-day policy coordination and who resides within the Office of Strategy, Policy, and Plans. This bill codifies such an assistant secretary position in that office.

Second, the report recommended that DHS institutionalize a council that would identify concentrated economic risks, set priorities, and coordinate enterprise-wide action on economic security matters. This bill follows that recommendation by establishing the DHS Trade and Economic Security Council while also defining its roles and responsibilities.

Codifying these important facets of the Department is a critical step to ensuring our economic security. The work that this council and the assistant secretary will do is critically important to the Nation's response and resilience to the next unforeseen global crisis.

It is crucial that DHS lean into its unique position as the only executive

agency that deals with both the national security and economic prosperity of the Nation and lead the United States Government as the pre-eminent economic security agency in the decades to come.

I am proud to have led this important and timely effort. I thank my friend and colleague, Ranking Member KATKO, for being an original cosponsor, and I also thank Representatives LURIA, DELGADO, and SLOTKIN, in particular, for reaching across the aisle.

Economic security is truly homeland security. I urge my colleagues to support this important bill.

Mr. PAYNE. Mr. Speaker, I reserve the balance of my time.

Mr. PFLUGER. Mr. Speaker, I urge Members to vote for this bill, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the COVID-19 pandemic disrupted America's economic security and exposed supply chain vulnerabilities.

As a proud New Jerseyan, I would like to acknowledge the yeoman's work the Port of New York and New Jersey, the largest container port on the East Coast, has done during the pandemic to meet the demands of the growth in e-commerce and move cargo into our communities in a timely way.

As our economy continues to recover, H.R. 4476 will help ensure that DHS is well-positioned to proactively address potential threats and vulnerabilities that could be exploited by adversaries or exacerbated.

I thank my colleagues on the Homeland Security Committee for unanimously supporting H.R. 4476, and I urge all of my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 4476, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOHMERT. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

RESILIENT ASSISTANCE FOR MITIGATION FOR ENVIRONMENTALLY RESILIENT INFRASTRUCTURE AND CONSTRUCTION BY AMERICANS ACT

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5689) to improve the provision of Federal resources to help build capacity and fund risk-reducing, cost-effective mitigation projects for eligible

State, local, Tribal, and territorial governments and certain private nonprofit organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Resilient Assistance for Mitigation for Environmentally Resilient Infrastructure and Construction by Americans Act” or the “Resilient AMERICA Act”.

SEC. 2. PREDISASTER HAZARD MITIGATION.

Section 203(i) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended by striking “equal to 6 percent” and inserting “equal to not more than 15 percent”.

SEC. 3. NONPROFIT FACILITIES.

Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (b) by striking “and local governments” and inserting “, local governments, and private nonprofit facilities”;

(2) in subsection (c) by striking “or local government” in each place it appears and inserting “, local government, or private nonprofit facility”;

(3) in subsection (d)—

(A) in paragraph (1)(A) by striking “local governments” and inserting “local governments and private nonprofit facilities”;

(B) in paragraph (2)—

(i) by striking “local governments” in each place it appears and inserting “local governments or private nonprofit facilities”; and

(ii) in subparagraph (B) by striking “local government” and inserting “local government or private nonprofit facility”; and

(C) in paragraph (3) by inserting “or private nonprofit facilities” after “any local governments of the State”.

(4) in subsection (e)—

(A) in paragraph (1)(A) by striking “and local governments” and inserting “, local governments, and private nonprofit facilities”; and

(B) in paragraph (2) by striking “or local government” in each place it appears and inserting “, local government, or private nonprofit facility”;

(5) in subsection (f)—

(A) in paragraph (2) by inserting “or private nonprofit facilities located in the State” after “local governments of the State”; and

(B) in paragraph (3)(A) by inserting “or private nonprofit facilities located in the State” after “local governments of a State”; and

(6) in subsection (g) by striking “or local government” in each place it appears and inserting “, local government, or private nonprofit facility”.

SEC. 4. BUILDING CODE IMPLEMENTATION AND ENFORCEMENT SET ASIDE.

(a) IN GENERAL.—Section 203(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) BUILDING CODE IMPLEMENTATION AND ENFORCEMENT SET-ASIDE.—Of the amounts made available under this section for any given year, the Administrator may use not less than 10 percent to carry out eligible activities that further the implementation and enforcement of the latest published editions